

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JAMES C MCGUIRE

DATE: 02/14/05 TIME: 8:30 DEPT: MPR

CASE #: MG MS00028

CASE NAME: G'SHIP OF CHEZERAЕ BOGAN

HEARING:

Hearing re: PET'N FOR APPOINTMENT OF CO-GUARDIAN

COUNSEL:

JOYCE BOGAN	(PET)...PRO/PER
CHEZERAЕ BOGAN	(MIN)...
PORSHA BOGAN	(MIN)... (now an adult, see next line)
PORSHA R WADE	(PET)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Petition for Appointment of Co-Guardian, person only, by sister, minor 12

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Chezerae Bogan has been under a guardianship since 1994. The guardian is her maternal grandmother, Joyce Bogan. Joyce Bogan also had guardianship of Porsha Bogan until she reached 18 years. However, it appears that grandmother relinquished the minor back to the mother without court approval. Questions regarding well-being of mother and violence toward the minors.
2. Mother and guardian both signed waiver and consent to the petition for co-guardian.
3. Petitioner Porsha Wade lives in North Carolina. Temporary letters issued on 1-11-05. Minute order notes that child may be taken to North Carolina. If the intention is to have the minor reside in North Carolina, then guardianship in that state is appropriate. Petitioner is also in the military.

4. Petition states that father is unknown. However, the original petition lists the father of Chezerae as Perry Osby. Need to file proof of personal service on father or due diligence declaration.
5. In order to become co-guardians, the letters to Joyce Bogan will have to be vacated/terminated and new ones issued in the name of both parties.
6. Need to file proof of mailed service on Court Investigator and Maternal Grandfather (James Bogan). Is grandfather still alive?
7. Petition unclear. Mentions a brother. Is Chezerae the sister? Is there also a brother? Court should note that there is a petition for guardianship filed for Deavante Jamal Bogan by Porsha Wade, on calendar below (matter no. 3. MG 00392)
8. Need to file proof of personal service on minor, who is over 12 years.

RECOMMENDATION:

Need to resolve questions regarding minor's future residence, nature of petition, and notice.

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HONORABLE JUDGE JAMES C MCGUIRE

DATE: 02/14/05 TIME: 8:30 DEPT: MPR

CASE #: MG MS00293

CASE NAME: G'SHIP OF PAUL TYLER BARNAO

HEARING:

OSC re: Review

COUNSEL:

NELLIE TRUJILLO (PET)...

JACK R VANMETER (PET)...

PAUL TYLER BARNAO (MIN)...CATHERINE A VINCENT

COURT INVESTIGATOR'S OFFICE (AGN)...

KATHERINE BARNAO (MOT)...ROBERT S RODDICK

GENERAL INFORMATION:

This case is set for hearing on Status for Petition to Terminate Guardianship, by mother, minor 7

Guardianship letters issued after trial in October 2003, but guardian held temporary guardianship since April 2003

Continued from 10-18-04. Court continued matter for completion of CI report.

On 10-20-04, court granted motion to consolidate Family Law Case (MFL 08554) with this guardianship action)

Continued from 11-15-04. Stipulation reached by the parties re: visitation and exchanges and father to enroll in parenting classes. See notes below from time prior to stipulation.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Basis of petition is that mother is stable, not using drugs. (Last drug test negative from 7/1/04). Has completed parenting class.
2. Written objection filed by guardians, claims that father in home yelling and disciplining minor by thumping him on the head, hitting him on the leg and giving him "wedgies". Claims that mother returns Tyler filthy
3. Need to file proof of service on petition to paternal grandmother.

RECOMMENDATION:

Need status

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HONORABLE JUDGE JAMES C MCGUIRE

DATE: 02/14/05 TIME: 8:30 DEPT: MPR

CASE #: MG MS00392

CASE NAME: GUARDIANSHIP OF DEAVANTE JAMAL BOGAN

HEARING:

Petition for Appointment of Guardian

COUNSEL:

PORSHA WADE (PET)...PRO/PER
DEAVANTE JAMAL BOGAN (MIN)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Guardianship, person only, by sister, minor 2

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Temporary letters issued 1-11-05. Minute order notes that minor may be taken to North Carolina. As petitioner lives in North Carolina, shouldn't this matter be handled in that state? If intention is to move children to North Carolina, then guardianship here could be established with OSC re: Filing in North Carolina.
2. Minor has cerebral palsy. Petition is 21 and in the military. Question if the petitioner is able to take care of the minor's needs. What is the plan?
3. Mother has signed waiver and consent. Grandmother signed waiver and consent.
4. Petition indicates father is unknown. File copy of birth certificate.
5. Need to file proof of mailed service on Court Investigator and sister (12).

RECOMMENDATION:

Need notice, birth certificate and questions regarding plan for care of minor with special needs. If the guardian is planning on residing with the minor out of state, will need to seek guardianship in North Carolina. Set OSC re: Filing in North Carolina.

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HONORABLE JUDGE JAMES C MCGUIRE

DATE: 02/14/05 TIME: 8:30 DEPT: MPR

CASE #: MG MSMS00338

CASE NAME: GUARDIANSHIP OF TIMOTHY J LANE

HEARING:

Hearing re: PETITION FOR APPOINTMENT OF SUCCESSOR GUARDIAN

COUNSEL:

LESLIE CATHLENE HARE (PET)...PRO/PER

TIMOTHY J LANE (MIN)...

VICTORIA C HARE (PET)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Petition for Successor Guardian, person only, by maternal aunt, minor 12

Guardianship issued to maternal grandmother earlier in 2004 with consent of parents, she is now deceased

Continued from 1-10-05 for proof of service on father. OK

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Temporary successor letters issued 12-16-04.
2. Mother signed waiver and consent.
3. Father signed nomination, which does not have the same legal effect as a waiver and consent. Need proof of personal service on father. **Filed waiver and consent.**
4. Need to file notice of hearing and proof of mailed service on minor, as he is now 12. **Minor appeared in court on 1-10-05. OK**

RECOMMENDATION:

All procedural issues corrected

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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JAMES C MCGUIRE

DATE: 02/14/05 TIME: 8:30 DEPT: MPR

CASE #: MPRMS01020

CASE NAME: ESTATE OF JOSEPHINE MARIE HUFFER

HEARING:

OSC re: Final Accounting

COUNSEL:

KEVIN HUFFER	(PET)...	MELVIN J KREGER
HELEN MAZZA	(PET)...	MELVIN J KREGER
JOSEPHINE MARIE HUFFER	(DEC)...	

GENERAL INFORMATION:

This case is set for hearing on Final Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

Not filed.

RECOMMENDATION:

Find out status.

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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JAMES C MCGUIRE

DATE: 02/14/05 TIME: 8:30 DEPT: MPR

CASE #: MPRMS01165

CASE NAME: ESTATE OF DANIEL J. WALTON

HEARING:

OSC re: Filing of Inventory & Appraisal

COUNSEL:

JESSICA WALTON	(PET)...	CAROL L ADAMS
DANIEL J WALTON	(DEC)...	

GENERAL INFORMATION:

This case is set for hearing on OSC re: I & A

Continued from 10-4-04. Attorney requested continuance.

Continued from 12-27-04. Co-administrator appeared, wanted additional time for filing of Declaration and Partial I & A. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Still not filed.

RECOMMENDATION:

Failure to file the I & A as ordered means that the administrator is subject to contempt.

PC 8804. Issue citation and have it personally served on co-administrators for OSC re:

Failure to File Documents and Why The Court Should not Sanction and/or Remove.

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HONORABLE JUDGE JAMES C MCGUIRE

DATE: 02/14/05 TIME: 8:30 DEPT: MPR

CASE #: MPRMS01235

CASE NAME: ESTATE OF SUMI NISHIKAWA

HEARING:

OSC re: FILING OF INVENTORY & APPRAISAL

COUNSEL:

FRANK AMES	(PET)...D M DAVIS
SUMI NISHIKAWA	(DEC)...

GENERAL INFORMATION:

This case is set for hearing on I & A
Continued from 1-10-05.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Filed it, but need to include copy of bank statements per local rule.

RECOMMENDATION:

Need bank statements.

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HONORABLE JUDGE JAMES C MCGUIRE

DATE: 02/14/05 TIME: 8:30 DEPT: MPR

CASE #: MPRMS01247

CASE NAME: ESTATE OF CHARLES EDWARD MCDONALD

HEARING:

OSC re: Inventory & Appraisal

COUNSEL:

MARGARET MCDONALD (PET)...IGNAZIO
CHARLES EDWARD MCDONALD (DEC)...

Off-calendar. Filed I &A.

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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JAMES C MCGUIRE

DATE: 02/14/05 TIME: 8:30 DEPT: MPR

CASE #: MPRMS01256

CASE NAME: ESTATE OF VERN THORNTON

HEARING:

OSC re: Inventory & Appraisal

COUNSEL:

SUSAN R LANTHIER	(PET)...IRA N TUCK
VERN THORNTON	(DEC)...

Off-calendar. Filed I & A.

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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JAMES C MCGUIRE

DATE: 02/14/05 TIME: 8:30 DEPT: MPR

CASE #: MPRMS01310

CASE NAME: ESTATE OF JAMES ALBERT LANDREE

HEARING:

Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:

LEA HONUS (PET)...BEVERLY J. MAR
JAMES ALBERT LANDREE (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Probate of Will, full authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file proof of due publication.
2. Will waives bond. However, the petitioner is a non-resident of California and therefore the Court could require a bond of \$100,000. JTD

RECOMMENDATION:

RFA subject to 1 and court's determination of bond. Once approved, set hearing for filing of Inventory & Appraisal for 8-15-05. Set hearing for filing of accounting and/or status report for 4-3-06. Accountings to be filed 30 days in advance. Note local rules regarding the filing of bank statements.

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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JAMES C MCGUIRE

DATE: 02/14/05 TIME: 8:30 DEPT: MPR

CASE #: MPRMS01311

CASE NAME: MATTER OF RUTH E RUFFIN

HEARING:

Petition to determine succession to Real Property

COUNSEL:

JANICE L BONNER	(PET)...	DONALD C KEMBY
RUTH E RUFFIN	(DEC)...	

GENERAL INFORMATION:

This case is set for hearing on Petition to Determine Succession

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

None

RECOMMENDATION:

RFA. Need to submit corrected order that shows that the beneficiary's address.